

EXHIBIT

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To: Wood, Keith[Keith.Wood@pharma.com]
From: Must, Alan
Sent: Thur 6/30/2011 9:15:26 AM
Subject: FW: Ky. gains in war on pill abuse

From: Holman, Libby
Sent: Wednesday, June 29, 2011 5:19 PM
To: Must, Alan; Heins, James; Rosen, Brian
Subject: Ky. gains in war on pill abuse

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Ky. gains in war on pill abuse
Monitoring system, E.Ky. enforcement make inroads
Cincinnati Enquirer - Online (OH)
By Laura Ungar
06/27/2011
<http://news.cincinnati.com/apps/pbcs.dll/article?AID=/AB/20110626/NEWS010703/106270328/>

Kentucky is slowly gaining ground in its war on prescription-drug abuse, officials say - with more drug busts, new efforts to stem the flow of pills from Florida and a recently unveiled plan of attack from the nation's drug czar.

And politicians, drug-policy leaders and law-enforcement officials are hoping to make more progress in the wake of mounting attention from the government and media.

That attention has escalated following a recent Louisville Courier-Journal series that showed how prescription-drug deaths have more than doubled in Kentucky in the past decade, with nearly 1,000 people dying every year - exceeding the number who die in motor-vehicle accidents.

The series documented the mounting toll of the scourge even as funding to combat abuse has dwindled. U.S. Rep. Hal Rogers, R-5th District, said he used the stories to educate about two-dozen lawmakers in a Congressional caucus on the issue.

Among the steps taken this year in the fight to control pill abuse:

While on a fact-finding trip to Kentucky in February, R. Gil Kerlikowske, director of White House Office of National Drug Control Policy, called Kentucky, West Virginia and Tennessee "ground zero" for prescription-drug abuse.

In April, Kerlikowske unveiled a national prescription-drug abuse plan, which tackles education of youth, patients and doctors; prescription monitoring; proper medication disposal and law enforcement.

Florida Gov. Rick Scott took two steps to address pill pushing in his state, which officials estimate supplies 60 percent of Kentucky's illicit prescription drugs. In April, Scott reversed course on an electronic prescription-drug monitoring program he had formerly opposed. And in early June, he signed a new law targeting pill mills, through which addicts can easily get drugs.

Area law enforcement has stepped up efforts in the hard-hit region of Eastern Kentucky, including large roundups of alleged prescription drug traffickers in May and June.

Despite progress, officials, advocates and recovering addicts caution that the fight against prescription-drug abuse is far from over, with Kerlikowske calling it the nation's fastest-growing drug problem.

Unintentional deaths involving opiate painkillers more than tripled to nearly 12,000 nationally between 1999 and 2007, federal statistics show. And the U.S. Department of Justice estimates that illicit drug use cost the nation \$193 billion in 2007 - with prescription-drug abuse playing a significant part.

Sarah Cox is a 22-year-old recovering addict from Louisville being treated at The Healing Place, a long-term, social-model recovery program in Louisville. Cox said her prescription-drug addiction transformed her from an accomplished college student who took mission trips to Africa into a desperate thief who stole and pawned jewelry from the houses she cleaned, along with every book she owned, so she could buy pills.

"It's an unbelievable disease," she said of the addiction. "I don't know what can be done. There's no way to stop it completely."

Austin Smith of Indiana, another recovering addict at the Healing Place, called prescription-drug abuse "a battle that will never be won."

Choking the pipeline from Florida crucial
Drug-policy leaders admit that prescription abuse is formidable, but they say recent developments in Florida should aid their fight.

"Choking off that pipeline" is crucial, Kerlikowske said in a recent interview. "The wake-up call has really been made in that state."

Scott told a U.S. House subcommittee in April that 98 of the top 100 doctors nationally dispensing oxycodone are in Florida. In southern Florida's Broward County alone, law enforcement officials say once-lax laws have led to dozens of pill mills attracting the Appalachian residents they call "pillbillies."

Florida's new prescription-drug monitoring system, expected to be operational as early as the end of August, should help thwart the addicts and dealers who go there to avoid Kentucky's nationally respected monitoring system, called KASPER, said Van Ingram, executive director of the Kentucky Office of Drug Control Policy.

Though a 2009 KASPER report said less than a third of Kentucky doctors were registered on the system at that time, experts said the program is nonetheless effective, especially when coupled with Kentucky's crackdown on trafficking.

"We know thousands of residents are traveling to south Florida every month," Ingram said. "If they could easily obtain the drugs in Kentucky, they wouldn't be making that 900-mile trip."

Florida's new pill-mill law should also help curb the illicit drug trade, Ingram said.

It strengthens the monitoring system and penalizes doctors who over-prescribe painkillers, authorizing fines of at least \$10,000 and six-month suspensions.

It also tightens rules for prescription writing and pain-treatment regimens, requires new permitting processes for all pharmacies and allows police to examine clinic records without a search warrant.

"All these steps will not only help Florida attack the epidemic of prescription-drug abuse but will also help us save lives here in Kentucky," Gov. Steve Beshear said after his Florida counterpart signed the bill June 3.

Other Kentucky leaders agreed the crackdown must continue.

Crackdowns help in Eastern Kentucky

At the same time, Kentucky politicians and law enforcement officials say they plan to continue the crackdown in the Appalachians, where experts say addicts typically get drugs from street dealers and medicine cabinets.

Earlier this month, after a yearlong investigation by the Eastern Kentucky drug-fighting agency Operation UNITE, warrants were issued for 52 people in Harlan County in connection with the illegal sale of painkillers such as OxyContin and hydrocodone. Officials say the defendants could face years in prison.

That roundup followed another in late May, when an Operation UNITE investigation into the illegal sale of oxycodone and hydrocodone resulted in arrest warrants for 29 people, mostly independent dealers, in Pike County.

In April, Attorney General Jack Conway's office announced indictments of a Florida resident and two Hopkinsville, Ky. residents in connection with a scheme to mail large quantities of prescription pills by Fed Ex and the U.S. Postal Service from Florida to Kentucky.

And in May, former Whitley County Sheriff Lawrence Hodge, admitted in federal court that he conspired with drug dealers to distribute prescription pills. According to a plea agreement, Hodge - who said he was addicted to pills - will serve 15½ years in prison and pay more than \$64,000 in restitution to the Whitley County government.

Doctors and health workers have also been charged.

Earlier this month, Paintsville, Ky., physician Dr. Richard Albert was charged in a federal criminal complaint with illegally dispensing and conspiring to distribute and dispense prescription pills.

In March, Florida physician Dr. Michael Shook pleaded guilty in Lexington federal court to conspiracy to distribute oxycodone and methadone, acknowledging he unlawfully prescribed about 25,000 pain pills to Eastern Kentuckians who traveled to his Oakland Park, Fla., clinic. He was sentenced Friday to 48 months in prison and three years of supervised release.

In April, Steven M. Lyon of Louisiana, chief executive officer of Louisiana-based Urgent Care, entered into a plea agreement with the U.S. Attorney's office for conspiring to distribute prescription pills. Officials said large groups of Eastern Kentuckians traveled to his clinics in Louisiana, Philadelphia and Ohio.

Still, officials said prevention is as crucial as enforcement. Operation UNITE said this month it was coordinating a national summit on prescription drug abuse to be held next April in Orlando, Fla., where attendees can hear from law enforcement, medical professionals, treatment experts and others. Conway, for his part, speaks at assemblies in middle and high schools across Kentucky.

"I'm just sick and tired of people saying, 'We're losing a generation,'" Conway said, adding that when he asks ninth-graders how many of them know someone with a pill problem, as many as 80 percent raise their hands.

Karen Shay, who lost her daughter Sarah to a prescription-drug overdose, often accompanies Conway on his talks, and also speaks in churches and volunteers for Operation UNITE.

Sarah Shay, an aspiring artist, was a recovering addict who had started to pull her life back together when she left home one night with friends in January 2006. She died the next morning of an overdose, with methadone, Xanax and alcohol in her system.

"I don't want any other family to go through what we did. I think the problem is far greater than what we believe," said Shay, a dentist in Morehead who says speaking publicly about her daughter's overdose is "something I have to do so that Sarah's death is not just a statistic."

Formulating a national strategy

Kerlikowske said he hopes his office's national prescription-drug abuse plan - which aims to cut abuse by 15 percent - saves other families from such pain.

Calling education a "crucial first step," Kerlikowske pledged to work with Congress to amend federal law to require training for pill prescribers, such as continuing-education classes for doctors with Drug Enforcement Administration registrations. Officials and doctors said addicts are often very good at tricking physicians into giving them what they crave.

Also, the U.S. Food and Drug Administration is requiring makers of extended-release and long-acting opiate painkillers to provide doctors educational materials for patients and develop educational programs for prescribers.